

# Memorandum

**To:** CHAIR AND COMMISSIONERS

**Date:** June 19, 2009

**From:** BIMLA G. RHINEHART  
Executive Director

**File:** Book Item 4.5  
Action

**Ref:** Guiding Principles for Federal Aviation Administration Reauthorization

**ISSUE:** Should the Commission approve the attached Guiding Principles for Federal Aviation Administration (FAA) Reauthorization prepared by the Commission's Technical Advisory Committee on Aeronautics (TACA) and forward these principles to the California Congressional Delegation in Washington, DC?

**RECOMMENDATION:** Staff recommends that the Commission approve the Guiding Principles for Federal Aviation Reauthorization and forward the principles to the California Congressional Delegation.

**BACKGROUND:** At the May 27, 2009 TACA meeting, the TACA voted unanimously to advise the Commission on a set of guiding principles that would support California's airports and aid the California Congressional Delegation in Washington DC in its efforts to maintain and increase the federal funding, including appropriations for, aeronautics in the next federal reauthorization.

Funding authorization for the Federal Aviation Administration's programs is set to expire in September 2009. Congress has not passed a long-term FAA authorization since the last one expired at the end of Fiscal Year 2007. This represents the longest period of time that the FAA has remained unauthorized, surviving on a series of Congressional extensions. Congress has until the end of the fiscal year, September 30, 2009 to clear a bill before the current short-term extension expires.

The House passed H.R. 915, the FAA reauthorization bill, on May 21, 2009 by a vote of 277-136. A manager's amendment was adopted by voice vote to strike the bill's now defunct fiscal 2009 funding, which lowered the overall authorization from \$70 billion to approximately \$57.18 billion.

The purpose of H.R. 915 is to amend title 49, United States Code, to authorize appropriations for the Federal Aviation Administration for fiscal years 2010 through 2012, to improve aviation safety and capacity, to provide stable funding for the national aviation system, and for other purposes. Specifically, the bill reauthorizes appropriations for FY 2009-FY 2012 for: (1) airport planning and development and noise compatibility planning programs; (2) air navigation

facilities and equipment; (3) FAA operations; and (4) FAA research, engineering, and development.

Of particular concern to the TACA relates to the Aircraft Rescue and Firefighting Standards proposed in H.R. 915. The Congressional Budget Office (CBO) issued a report dated April 22, 2009 that outlines these standards as a proposed unfunded mandate as defined in the Unfunded Mandates Reform Act. Specifically, the CBO found that this requirement would impose new safety standards on public and private airports. An excerpt from the CBO report states the following:

“In its current form, H.R. 915 requires the Administrator of the FAA to set new rescue and firefighting standards for airports. The new safety standards would address staffing levels, timeliness of a rescue response, vehicle deployment, and equipment modernization. To the extent practical, the standards would have to be consistent with national voluntary standards for airport rescue and firefighting. According to the FAA and airport officials, few airports currently meet those standards. Also, according to airport fire chiefs and managers, such standards would require more staff, additional equipment, and in many cases, new facilities. New facilities would be particularly expensive, with estimates ranging from \$1 million for satellite facilities to \$10 million for new stations. In addition, many smaller airports rely on local fire departments and would need to hire new staff, which would result in higher personnel costs. Nearly 550 publicly owned airports would be subject to the regulations.”

As is included in the attached Guiding Principles, given the potential for significant impacts to California’s general aviation airports, TACA has recommended that the Aircraft Rescue and Firefighting Standards should not be included in the Federal Reauthorization process but, instead be considered through the FAA led Aviation Rulemaking Advisory Committee process.

The following provides a summary of major congressional actions taken to date for this bill:

- 2/9/2009 Introduced in House
- 5/19/2009 Reported (Amended) by the Committee on Transportation.
- 5/19/2009 Committee on Science and Technology discharged.
- 5/21/2009 Supplemental report filed by the Committee on Transportation
- 5/21/2009 Passed/agreed to in House: On passage Passed by recorded vote: 277 – 136.
- 6/1/2009 Referred to Senate committee: Received in the Senate and Read twice and referred to the Committee on Commerce, Science, and Transportation.

Attachment

Guiding Principles for Federal Aviation Administration Reauthorization

**Guiding Principles for  
Federal Aviation Administration Reauthorization**

Prepared by the California Transportation Commission's  
Technical Advisory Committee on Aeronautics

The California Transportation Commission's Technical Advisory Committee on Aeronautics, representing members of the California aviation industry, airport operators, pilots, and other aviation interest groups and experts, has developed a set of guiding principles to support California's airports and aid the California Congressional Delegation in Washington, DC in its efforts to maintain and increase the federal funding, including appropriations, for aeronautics in the next federal reauthorization as follows:

- Reauthorization should be multi-year, to permit airports to plan ahead on more than a year-to-year basis.
- Reauthorization should provide increased Airport Improvement Program (AIP) funding to meet airports' capital improvements needs.
- Reauthorization should increase passenger facility charges (PFCs) to meet airports' capital improvement needs with less reliance on grants and operating revenues, and the PFCs should be inflation indexed to maintain its project production value.
- Reauthorization should NOT include any legislated requirements for new fire fighting standards. Any such potential changes should follow the Federal Aviation Administration (FAA) led Aviation Rulemaking Advisory Committee process.
- Reauthorization should increase funding for Essential Air Service, Small Community Air Service Development, and Contract Tower Programs.
- Reauthorization should increase funding for the environmental initiative Voluntary Airport Low Emission (VALE) program, including such funding for non-commercial service airports.
- Reauthorization should provide increased funding for Next Generation Air Transportation System (NextGen) implementation.
- Reauthorization should provide increased funding for runway safety area improvements.